U.S. Department of Justice

United States Attorney
District of New Jersey

970 Broad Street, 7th floor
Newark, New Jersey 07102

973-645-2700

January 25, 2017

Electronically Filed
Honorable Juan R. Sánchez
United States District Judge
11614 United States Courthouse
601 Market Street
Philadelphia, Pa 19106-1744

Re: *United States v. One 2014 Black Porsche Cayman Coupe, et al.*, Civil Action No. 15-5814

Dear Judge Sanchez:

Enclosed herewith for the Court's approval is a Stipulation and Order of Settlement and Discontinuance as to the sole remaining claimant in this case, Wealthy Max Limited.

Very truly yours,

LOUIS D. LAPPEN
Acting United States Attorney

s/Zach Intrater
By: ZACH INTRATER
Special Assistant United States Attorney

cc: (by ECF):
Robert Connolly, Esq.
Hays Gorey, Esq.
Attorneys for Claimant Wealthy Max Limited

2014V04356/ZI/BAW/jw

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

<table>
<tr><td>UNITED STATES OF AMERICA

v.

ONE 2014 BLACK PORSCHE CAYMAN COUPE BEARING VEHICLE IDENTIFICATION NUMBER (VIN) WP0AB2A85EK191487;

THE REAL PROPERTY KNOWN AS 10212 DENTON DRIVE, DALLAS, TEXAS; AND

A TOTAL OF APPROXIMATELY $5,453,011.81 COMPRISED OF

$2,845,428.41 PREVIOUSLY DUE AND PAYABLE BY THE UNITED STATES MINT TO AMERICA NAHA, INC.;

$2,388,091.18 PREVIOUSLY DUE AND PAYABLE BY THE UNITED STATES MINT TO WEALTHY MAX LIMITED; AND

$219,492.22 PREVIOUSLY DUE AND PAYABLE BY THE UNITED STATES MINT TO XRACER SPORTS CO. LTD.,

Defendants in rem.

WEALTHY MAX LIMITED,

Claimant.

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:</td><td>Hon. Juan R. Sánchez

Civil Action No. 15-5814

STIPULATION AND ORDER OF SETTLEMENT AND DISCONTINUANCE</td></tr>
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WHEREAS, on March 20, 2015, the United States filed a Verified Complaint (the "Complaint") against the above-captioned property pursuant to various federal asset forfeiture statutes in Title 18 of the United States Code;

WHEREAS, having been sent direct notice of the Complaint, on or about June 5, 2015, Wealthy Max Limited ("Wealthy Max" or the "Claimant") filed a verified claim as to the following defendant in rem property:

> $2,388,091.18 previously due and payable by the United States Mint to Wealthy Max Limited (the "Seized Funds");

WHEREAS, on August 11, 2015, the United States filed an Amended Verified Complaint seeking forfeiture of the above-captioned defendant in rem property (the "Amended Complaint");

WHEREAS, having been sent direct notice of the Amended Complaint, on September 29, 2015, Wealthy Max filed a Verified Claim to the above-defined Seized Funds;

WHEREAS, notice of the Amended Complaint was posted on an official government internet site, www.forfeiture.gov, beginning on August 26, 2015, and running for 30 consecutive days through September 24, 2015. Proof of publication was filed with the Court on January 13, 2016 (Doc. 19, Ex. B);

WHEREAS, on or about October 20, 2015, the Honorable Jose L. Linares, United States District Judge for the District of New Jersey, transferred the case *sua sponte* to the United States District Court for the Eastern District of Pennsylvania for further proceedings;

WHEREAS, as to the Seized Funds, no other claims or answers were filed or made in this action, no other parties have appeared to contest the action to date, and the statutory time periods in which to do so have expired;

WHEREAS, Wealthy Max maintains that the mutilated coins imported by Wealthy Max were genuine, there is no basis in law or in fact for the relief sought in the Complaint and Amended Complaint, and that it would prevail if this case were to proceed to trial;

WHEREAS, the United States Attorney's Office for the District of New Jersey (the "Office") maintains that the Complaint and Amended Complaint state sufficiently detailed facts to support a reasonable belief that the government will be able to meet its burden of proof at trial and that the government would be able to do so if this case were to proceed at trial; and

WHEREAS, the Office and Wealthy Max, in order to avoid further litigation, have determined to resolve the claim of Wealthy Max to the Seized Funds on the terms and conditions set forth below.

IT IS HEREBY STIPULATED, AGREED AND ORDERED AS FOLLOWS:

1. As soon as practicable following the Court's endorsement and the filing of this Stipulation and Order, Wealthy Max shall make a payment to the United States Mint in the amount of $167,166.38 in full satisfaction of the costs incurred by the United States Mint in connection with the conversion of a shipment of Wealthy Max coins delivered to PMX on or about June 23, 2014 into new coin roll (the "Payment"). The Payment shall be remitted by Fedwire in accordance with the Fedwire Instructions the Office will provide to the undersigned counsel for Wealthy Max.

2. In consideration of the Payment, the Office agrees that the Seized Funds will be released to Wealthy Max in full and final satisfaction of Wealthy Max's claims to the Seized Funds filed June 5, 2015 and September 29, 2015, and of the government's claims for forfeiture set forth in the Complaint and the Amended Complaint and any other claims the United States

may have brought under the asset forfeiture laws of the United States to the Seized Funds; and that this action shall be dismissed with prejudice as to the Seized Funds.

3. Provided that (i) the Court endorses and files this Stipulation and Order, (ii) the Office receives a properly completed ACH form from Wealthy Max, and (iii) the United States Mint notifies the Office that the Payment has been received (the "Conditions Precedent"), the Office shall direct the U.S. Department of Homeland Security, Homeland Security Investigations ("HSI"), to enter disposition instructions directing the return of the Released Funds to Wealthy Max. The Office shall provide such instructions to HSI within three business days after the fulfillment of the Conditions Precedent.

4. Wealthy Max understands and agrees that after the Office's entry of the disposition instructions referred to in paragraph 3 above, the National Finance Center will process the payment returning the Seized Funds to Wealthy Max, and that such processing by the National Finance Center may take up to approximately 30 days.

5. Wealthy Max represents that no other individual or entity has an interest in the Seized Funds.

6. It is understood and agreed that the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3716, requires the United States Department of the Treasury and other disbursing officials to offset Federal payments to collect delinquent non-tax debts owed to the United States, or delinquent debts owed to states, including past-due child support enforced by states. Release of the Seized Funds is expressly conditioned on claimant Wealthy Max providing its Social Security Number, Taxpayer Identification Number and any other information required to determine if an offset is necessary. (If the Claimant believes that the Settlement Amount may be subject to an offset, Claimant may contact the Department of the Treasury at 1-800-304-3107).

If an offset is made, the Claimant will receive a notification from the Department of the Treasury at the last address provided by the debtor to the creditor.

7. Wealthy Max is hereby barred from asserting any claim against the United States Department of the Treasury, the United States Mint, the Department of Homeland Security, Customs and Border Protection, Immigration and Customs Enforcement, Homeland Security Investigations, or the United States Attorney's Office for the District of New Jersey or the Eastern District of Pennsylvania, and their agents and employees, in their individual and/or official capacities, in connection with or arising out of, the United States' actions against and relating to the Seized Funds, including, without limitation, any claim that the United States did not have probable cause to seize the Seized Funds or commence this judicial action, that Wealthy Max is a prevailing party, or that Wealthy Max is entitled to attorney's fees or any award of interest.

8. The Claimant waives any rights to directly or collaterally challenge in this Court, the Court of Appeals, or any other forum, this Stipulation and Order, the terms agreed to herein, or the Payment, including but not limited to a waiver of the Federal Tort Claims Act, a *Bivens* action, an action for costs, and all constitutional and statutory defenses and claims in any forum.

9. This Stipulation and Order shall in no way be deemed an admission of culpability, liability, or guilt by Wealthy Max, or of the United States or any of its agents, officers, or employees, past and present. Further, this Stipulation and Order in no way addresses, relates to, or constitutes any reflection upon the merits of any claims and/or defenses that have or may have been asserted by the United States or Wealthy Max.

10. The undersigned individuals signing this Stipulation and Order on behalf of the Claimant represent and warrant that they have full authority to execute this Stipulation and

Order, and the United States signatory represents that he or she is signing this Stipulation and Order in his or her official capacity and that he or she is authorized to execute this Stipulation and Order.

11. Facsimiles of signatures shall constitute acceptable, binding signatures for the purpose of this Stipulation and Order.

12. Each party shall bear its own costs and attorney's fees.

13. This Stipulation and Order may be executed in counterparts, each of which shall be deemed an original, and all of which, when taken together, shall be deemed the complete Stipulation and Order.

14. This Stipulation and Order constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or agents of either party that is not contained in this agreement shall be enforceable.

(Remainder of Page Left Intentionally Blank)

15. The Court shall have exclusive jurisdiction over the interpretation and enforcement of this Stipulation and Order.

AGREED AND CONSENTED TO:

LOUIS D. LAPPEN
Acting United States Attorney
Attorney for Plaintiff United States of America

______________________________ Dated: 22 Jan 2017
By: ZACH INTRATER
Special Assistant United States Attorney

______________________________ Dated: 22 January 2017
ROBERT CONNOLLY
GeyerGorey LLP
Attorney for Claimant Wealthy Max Limited

______________________________ Dated: 21 January 2017
[PRINT NAME]: Matthew K.F. Wong
[PRINT TITLE]: Director
WEALTHY MAX LIMITED, Claimant

ORDER

Having reviewed the foregoing Stipulation and Order and good cause appearing, it is hereby

ORDERED, ADJUDGED, AND DECREED that the Stipulation and Order is So Ordered.

IT IS FURTHER ORDERED that upon the filing of this Stipulation and Order, this action is hereby dismissed with prejudice as to the Seized Funds

______________________________ Dated:
HONORABLE JUAN R. SÁNCHEZ
UNITED STATES DISTRICT JUDGE